

GROUND WATER PROTECTION STEERING COMMITTEE

Meeting Summary for November 19, 2002

PLEASE NOTE:

The next meeting of the Steering Committee will be held on
Tuesday, January 7, 2003 from 9 AM – 11 AM,
Department of Environmental Quality, First Floor
Conference Room, 629 East Main Street, in Richmond.

Contact Mary Ann Massie at 804-698-4042 for details

ATTENDANCE:

Steering Committee members in attendance:

- *Jody Aston*, Department of Conservation and Recreation (DCR), Division of Soil and Water Conservation
- *Howard Freeland*, Department of Environmental Quality (DEQ), Waste Division
- *Randy McFarland*, U.S. Geological Survey (USGS)
- *Mary Ann Massie*, Department of Environmental Quality (DEQ), Water Division
- *Chris Adkins*, Virginia Department of Health (VDH)

Also in attendance:

- *Allan Brockenbrough*, Department of Environmental Quality
- *Judy Poff*, Virginia Water Resources Research Center
- *Josh Rubinstein*, Virginia Rural Water Association
- *Sam Hamilton*, Virginia Agribusiness Council
- *Frank Dukes*, facilitator, Institute for Environmental Negotiation, University of Virginia
- *Jennifer Harris*, Associate, Institute for Environmental Negotiation, University of Virginia

Agencies not in attendance:

- Virginia Cooperative Extension (VCE)
- Department of Mines, Minerals, and Energy (DMME)
- Chesapeake Bay Local Assistance Department (CBLAD)
- Department of Agriculture and Consumer Services (VDACS)

WATER RESOURCES IMPACT WORK GROUP

The DEQ has just concluded the Water Resources Impact Work Group. The Work Group met five times beginning in June 2002. A multitude of new and proposed power plants in Virginia engendered questions by State Senator Margaret Whipple and others about the potential combined effects that these and other facilities might have on air quality and water quality and quantity. The Work Group was formed in lieu of potential legislation that would have directed agency actions. The Work Group's Report identifies tools and options that may improve the Commonwealth's understanding and management of the combined impacts of these facilities on water supply and in-stream uses.

Among the highlights of the Report was the need for improved ground and surface water monitoring. The Work Group also suggested that DEQ improve accessibility to monitoring data. Other options suggested for DEQ to consider follow:

- Fund beneficial flow analysis in each of the major river basins; only two or three have been done in the state so far.
- Revise water withdrawal regulations to ensure that the Commonwealth knows how water is being used.
- Develop a system for statewide comprehensive water supply planning.
- Expand the use of Surface Water Management Area (SWMA) and the Ground Water Management Area (GWMA) programs. One SWMA is currently being developed for the upper James. A separate regulation is established for each area that establishes a low water flow level below which permit limits for withdrawal from the stream becomes effective. Expansion of GWMAs could occur first in the Middle Peninsula and Northern Neck areas.
- Expand the coverage of Virginia Water Protection (VWP) permits.
- Examine agricultural intakes.
- Require more storage capacity for facilities that rely upon ground water.

Other options in the Report include a moratorium on new water withdrawal permits until a comprehensive planning system is put in place, clarifying and using full authority of the state water control laws, providing incentives to encourage conservation, enacting user fees, enacting permitting fees, and ongoing public education on the planning and permitting process. The draft Report will be completed within a few days [NOTE: the completed PDF version is available at www.deq.state.va.us/info/waterresources.html]. The next step will be for DEQ Director Bob Burnley to review the Report and submit his recommendations to Senator Whipple and other members of the General Assembly.

AGENCY UPDATES

Department of Environmental Quality (DEQ), Office of Water Resources Management

Because of the budget cuts DEQ has had to make staff reductions. Some have been handled through retirement but there have been several layoffs as well.

The 106 ground water protection grant has been approved by EPA and contracts have been established. The Drought Management Task Force is continuing its coordination efforts.

EPA has completed its review of the draft 305(b) Water Quality Report. EPA is requesting additional ground water report data in order to have a comprehensive understanding of the resource.

The drought has prompted formation of a new stakeholder group to examine water planning needs. The Water Policy Technical Advisory Group was established to provide recommendations to 1) improve state and local water supply planning, and 2) improve the Commonwealth's water resources management programs.

Department of Environmental Quality (DEQ), Waste Division

The Office of Waste Permitting has reorganized and added two additional staff, although there remain vacancies in the South Central and Northern Offices. Leslie Romanchik, Director of OWP, formerly had three managers reporting to her. Paul Farrell managed the solid waste permit writers, Debbie Miller managed the hazardous waste permit writers, and Howard Freeland managed the hazardous and solid waste ground water permit writers. Effective 11/9/02, the solid waste staff was regionalized and the hazardous waste staff report to Leslie. Howard and his staff were not affected, except that the solid waste Part A duties were assigned to Howard and he was reassigned two FTEs from Paul's staff. Paul remains at the Central Office as solid waste technical expert/coordinator and Debbie now works in the Federal Facilities Remediation Program at the Central Office.

The elimination of the program for pollution prevention has meant additional staff for regional offices.

Virginia Department of Health

Budget cuts have meant that vacancies in field offices have not been filled. VDH has had to shift people from the Central Office and there is only one regional office that has a full staff.

VDH continues to work on the Source Water Assessments. These are 80% complete and are scheduled to be completed on time (April 30, 2002) and possibly by the end of December 2002. Virginia is ahead of almost all other states in this region.

VDH continues to participate in the Drought Monitoring Task Force and they continue to report to the Governor's Drought Coordinator the status of drought impacts and conservation efforts of public waterworks as well as data about private well replacements. With the exception of Roanoke, most surface water suppliers are reporting overflow conditions. The Swift Creek Reservoir is full. The state water restrictions have been moved from mandatory to voluntary.

The Office of Environmental Health reports that Hanover County had the highest number of well replacements for August and September. An automated system is being developed for private well reporting. There have been 4,000 well replacement permits since last July in Virginia.

VDH continues the transition of approximately 1,450 transient non-community waterworks from the Local Health Department's jurisdiction to the Division of Drinking Water. These are public water systems that provide water in a place such as a gas station or campground where people do not remain for long periods of time. Most sources of supply are ground water sources.

In light of 9/11 and further concerns about terrorism, VDH is preparing to train community waterworks that serve 3,300 or more people to conduct a vulnerability assessment required by new amendments to the Safe Drinking Water Act. There are about 130 water systems in Virginia that fall into that category with about 20-30 of those being ground water systems.

Department of Conservation and Recreation (DCR), Division of Soil and Water Conservation

The Rappahanock watershed office was closed and one staff member laid off, with the others being reassigned. DCR is currently working on the annual Section 319 report to EPA. Through Section 319 of the Clean Water Act, Virginia is awarded grant funds to implement the nonpoint source programs. DCR administers the money, in coordination with its advisory committee, to pay for technical and program staff and to fund watershed projects, demonstration and educational programs, and nonpoint source pollution control program development. DCR reports annually to the EPA on the progress made in nonpoint source pollution prevention and control.

The Karst Program will have its annual conference next May. Carol Zokaite reports that a karst and stormwater management workshop will be held on January 30 in Radford. For more information contact the Karst Program at 540-831-4057.

U.S. Geological Survey (USGS)

As of November 15, the Dept. of Interior 2003 appropriation has passed committees in both the House and Senate, but along with all other appropriations other than Defense, has not yet been approved in conference (see <http://thomas.loc.gov/home/approp/app03.html>). Continuing resolutions are expected to carry the federal government into next year. Impacts from the homeland security budget are expected for fiscal year 2004.

USGS Chief Hydrologist Robert Hirsch provided this year's luncheon address to the Virginia Water Research Symposium. Among a diverse array of topics, Bob highlighted several aspects of research on Virginia's ground water, including the cooperative study of the Chesapeake Bay impact structure with DEQ and Hampton Roads and aquifer vulnerability with VDH.

A web site on water use in Virginia has been established at http://va.water.usgs.gov/w_use/wu_index.htm. Information about ground water use amounts and types of usage is included.

Various aspects of the Virginia Coastal Plain aquifer system were recently presented to the Virginia Water Research Symposium, the Virginia Rural Water Association, and the Geological Society of America.

Department of Agriculture and Consumer Services (VDACS)

The drought has had significant agricultural impacts. Ninety-seven requests for federal drought disaster designation have been submitted to the Governor. These requests are from eighty-three separate counties with fourteen of the eighty-three submitting a second request for additional damages experienced since their original requests. The U.S. Secretary of Agriculture has approved primary disaster designation for 45 of the localities.

The Governor has requested federal designation for thirty-six more localities whose approval is still pending. Five damage assessment reports are pending from USDA. Fifty-eight localities have received secondary designation because they are contiguous to counties that have primary designation. Farmers in a designated county are eligible for drought assistance through USDA.

Due to budget cuts, the Ag-Stewardship program has lost one of its two investigators. VDACS has received four new complaints since the last meeting. The total number of cases since the program inception is now at 198. [submitted in absentia]

Department of Business Assistance (DBA)

Dean Bailey will be retiring in December. He has asked for a replacement to be designated as representative to the Ground Water Protection Steering Committee. [submitted in absentia]

Chesapeake Bay Local Assistance Department (CBLAD)

The Secretary of Natural Resources has developed an organization plan as directed by the 2002 General Assembly. CBLAD is continuing to work with localities as they develop revisions to local ordinances to comply with the revised Regulations which became effective March 1, 2002. The deadline for adoption of these local ordinance revisions is March 1, 2003. The Agency has developed guidance documents to assist local governments in the revision process and the subsequent changes in administration and implementation at the local level. The Buffer Committee is developing guidance regarding buffer management and restoration, and it is expected that portions will be available approximately mid-year in 2003. [submitted in absentia]

OTHER NEWS

Josh Rubinstein of the *Virginia Rural Water Association (VRWA)* reported that VRWA and EPA will sponsor a workshop called "Source Water Protection: Best Management Practices and Other Measures for Protecting Drinking Water Supplies." The workshop is being held Feb. 26, 2003 at the Virginia Department of Forestry in Charlottesville. Those interested in participating can register through the webpage www.vrwa.org.

Albert Crigger of VRWA has been working on Source Water Protection Plans. He also attended a community action group meeting in Montgomery County and is working with the citizens of Floyd County regarding the proposed natural gas pipeline and its potential effects on ground water.

Judy Poff of the *Virginia Water Resources Research Center (WRRC)* relays that from October 14-19 there were campus workshops in honor of the 30th anniversary of the Clean Water Act. Since the Virginia Tech campus is in the middle of the watershed, the Strouble's Creek Watershed Project is seen as a good service learning opportunity for the students.

The WRRC continues to administer the Virginia Water Monitoring Council. There is an upcoming regional coalfield water symposium. Budget issues are still up in the air

Sam Hamilton of the *Virginia Agribusiness Council* reported that there will be a new biosolids regulation, sponsored by Senator Bolling, on the table when the General Assembly convenes in January. The legislation would require certification for applicators of biosolids.

CHILDREN'S GROUND WATER FESTIVALS

Mary Ann Massie of DEQ gave a PowerPoint presentation showing pictures from the Children's Ground Water Festival in Dickenson County at Breaks Interstate Park. About 120 sixth graders learned about issues such as septic drainfields and water testing. There was also a Ground Water Festival in Northumberland County at Camp Kittamaqund, with 220 sixth graders.

Financial support was provided through DEQ's Ground Water Protection Grant from the Environmental Protection Agency and National Project WET in cooperation with Nestle Waters North America. Mary Ann Massie and Patrick Fleming coordinated the festival held at Breaks Interstate Park. There was support at the festival from the following organizations: Lonesome Pine Soil and Water Conservation District, USDA Natural Resources Conservation Service, Dickenson County Health Department, VA Dept Conservation and Recreation, VA Dept of Mines, Minerals, & Energy, Dickenson County Litter Control, McClure River Kiwanis Club, Guest River Restoration Project, VA Dept of Environmental Quality-Southwest Regional Office, VA Rural Water Association, and the VA Ground Water Protection Steering Committee.

The second festival at Camp Kittamaqund, site of the 2001 festival, was organized by Mrs. Audrey Brainard, a 2001 volunteer. Mrs. Brainard did an exceptional job recruiting session leaders and volunteers. The supporting organizations for the Northumberland festival were: Chesapeake Bay Garden Club, Virginia Cooperative Extension 4-H, Master Gardeners, Northumberland Association for Progressive Stewardship, Northern Neck Audubon, Northern Neck Soil and Water Conservation District, Northumberland County Health Department, Three Rivers Health District, SAIF Water Committee/Interfaith Service Council and the Unitarian Universalist Fellowship.

For photos of these events, go online to www.deq.state.va.us/education/festival.html.